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General Assembly

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Fifty-third session
Item 157 of the provisional agenda*
Measures to eliminate international terrorism

Letter dated 24 August 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the statement of the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia regarding the air strikes launched by the United States of America against Afghanistan and the Sudan.

I would be grateful if the text of the present letter and its annex could be circulated as an official document of the fifty-third session of the General Assembly, under item 157 of the provisional agenda.

(*Signed*) Vladislav **Jovanović**
Chargé d'affaires a.i.

* A/53/150.

98-24931 (E) 260898

Annex

Statement of the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia regarding the air strikes launched by the United States of America against Afghanistan and the Sudan

The Federal Republic of Yugoslavia strongly condemns all forms of terrorism, regardless of who commits them, where they come from and whose interests they threaten. It is considered that international terrorism, as a major threat to the modern world, can be successfully eliminated only by an impartial attitude, respect for fundamental principles of international law and international cooperation based on equal footing.

Unilateral approaches and action – in some cases, to protect the terrorists and include them in negotiations, and in other cases, to use against terrorists and their bases on territories of other sovereign States, weapons of mass destruction, bypassing and ignoring the United Nations – are contrary to the fundamental principles of international relations, counter-productive and as such unacceptable.

Yugoslavia believes that the policy of double standards in regard to terrorism is dangerous and undermines the struggle of the international community against this common threat. Attempts to distinguish between terrorists as the "good ones" and the "bad ones", to declare only those directly threatening the interests of certain countries as "bad ones", while the others are considered "human rights' fighters", and denying other countries the right to struggle against terrorism in their own territories are not based on any of the principles and facts, but on unilateral evaluations of their own interests and on a policy of power.

Yugoslavia believes that an efficient struggle against terrorism demands an impartial approach from all countries and international actors, as well as equal cooperation respecting the Charter of the United Nations and the principles of sovereignty and territorial integrity of all countries, to which it will continue to contribute fully.

United Nations A/53/286

General Assembly

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Fifty-third session
Item 14 of the provisional agenda*
Report of the International Atomic Energy Agency

Report of the International Atomic Energy Agency

Note by the Secretary-General

1. The forty-second report of the International Atomic Energy Agency for the calendar year 1997 (GC(42)/5) is submitted herewith to the General Assembly. Major developments since the report was published will be covered by the annual statement of the Director General of the Agency to the General Assembly. This report has been transmitted in accordance with the provisions of article III, paragraph 1 (a), of the Agreement governing the relationship between the United Nations and the International Atomic Energy Agency (General Assembly resolution 1145 (XII), annex).

2. As only a limited number of copies of the report are available, it has not been possible to make a full distribution. Delegations are therefore requested to have the copies transmitted to them so as to be available during the discussion of this item.

* A/53/150

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A/53/287

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Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

Report of the Secretary-General

Contents

		Page
I.	Introduction	2
II.	Information received from Member States	2
	Uruguay	2
Annex		
	List of States parties to the Protocols Additional to the Geneva Conventions of 1949 as at 31 July 1998	3

* A/53/150.

98-24943 (E) 030998

I. Introduction

1. On 16 December 1996, the General Assembly adopted resolution 51/155 entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts". In paragraph 7 of the resolution, the Assembly requested the Secretary-General to submit to it at its fifty-third session a report on the status of the additional Protocols based on information received from Member States.

2. Pursuant to that request, the Secretary-General, by a note dated 31 January 1997, invited Member States to transmit to him, by 30 June 1998 and for inclusion in the report, the information requested in paragraph 7 of the resolution.

3. As at 31 July 1998, a reply had been received from Uruguay. The text of the reply is reproduced in the present report. Any additional replies will be reproduced as addenda to it.

4. The list of all States that are parties to the Protocols[1] Additional to the Geneva Conventions of 1949[2] as at 31 July 1998, as communicated by the competent authorities of the Government of Switzerland, depositary of the Protocols, appears in the annex to the present report.

II. Information received from Member States

Uruguay

[Original: Spanish]
[1 April 1997]

Uruguay is party to the four Geneva Conventions of 1949 and their Additional Protocols of 1977. With respect to the Protocols, Uruguay deposited its instrument of accession on 13 December 1985. On 17 July 1990, it made the declaration provided for under article 90 of the Additional Protocol, accepting the competence of the International Fact-Finding Commission. In terms of domestic policy, Uruguay has a standing inter-ministerial commission responsible for planning legislative and administrative provisions to promote the development of international humanitarian law in its internal law. A priority task of the commission is to contribute to the dissemination of international humanitarian law among members of the armed forces, specialist schools, lawyers, teachers and the general public. All these activities will determine the degree of compliance with the resolutions adopted in this regard by the General Assembly and the various bodies of the United Nations system.

Notes

[1] United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.
[2] Ibid., vol. 75, Nos. 970-973.

Annex

List of States parties to the Protocols Additional to the Geneva Conventions of 1949 as at 31 July 1998[a]

State	*Date of ratification, accession or succession*
Albania	16 July 1993
Algeria[b c]	16 August 1989
Angola[b] (Protocol I only)	20 September 1984
Antigua and Barbuda	6 October 1986
Argentina[b c]	26 November 1986
Armenia	7 June 1993
Australia[b c]	21 June 1991
Austria[b c]	13 August 1982
Bahamas	10 April 1980
Bahrain	30 October 1986
Bangladesh	8 September 1980
Barbados	19 February 1990
Belarus[c]	23 October 1989
Belgium[b c]	20 May 1986
Belize	29 June 1984
Benin	28 May 1986
Bolivia[c]	8 December 1983
Bosnia and Herzegovina[c]	31 December 1992
Botswana	23 May 1979
Brazil[c]	5 May 1992
Brunei Darussalam	14 October 1991
Bulgaria[c]	26 September 1989
Burkina Faso	20 October 1987
Burundi	10 June 1993
Cambodia	14 January 1998
Cameroon	16 March 1984
Canada[b c]	20 November 1990
Cape Verde[c]	16 March 1995
Central African Republic	17 July 1984
Chad	17 January 1997
Chile[c]	24 April 1991
China[b]	14 September 1983
Colombia (Protocol I)[c]	1 September 1993
(Protocol II)	14 August 1995
Comoros	21 November 1985
Congo	10 November 1983
Costa Rica	15 December 1983
Côte d'Ivoire	20 September 1989

State	*Date of ratification, accession or succession*
Croatia[c]	11 May 1992
Cuba (Protocol I only)	25 November 1982
Cyprus (Protocol I)	1 June 1979
(Protocol II)	18 March 1996
Czech Republic[c]	5 February 1993
Democratic People's Republic of Korea (Protocol I only)	9 March 1988
Denmark[b,c]	17 June 1982
Djibouti	8 April 1991
Dominica	25 April 1996
Dominican Republic	26 May 1994
Ecuador	10 April 1979
Egypt[b]	9 October 1992
El Salvador	23 November 1978
Equatorial Guinea	24 July 1986
Estonia	18 January 1993
Ethiopia	8 April 1994
Finland[b,c]	7 August 1980
France (Protocol II only)	24 February 1984
Gabon	8 April 1980
Gambia	12 January 1989
Georgia	14 September 1993
Germany[b,c]	14 February 1991
Ghana	28 February 1978
Greece (Protocol I)[c]	31 March 1989
(Protocol II)	15 February 1993
Guatemala	19 October 1987
Guinea[c]	11 July 1984
Guinea-Bissau	21 October 1986
Guyana	18 January 1988
Holy See	21 November 1985
Honduras	16 February 1995
Hungary[c]	12 April 1989
Iceland[b,c]	10 April 1987
Italy[b,c]	27 February 1986
Jamaica	29 July 1986
Jordan	1 May 1979
Kazakhstan	5 May 1992
Kyrgyzstan	18 September 1992
Kuwait	17 January 1985
Lao People's Democratic Republic[c]	18 November 1980
Latvia	24 December 1991

State	Date of ratification, accession or succession
Lebanon	23 July 1997
Lesotho	20 May 1994
Liberia	30 June 1988
Libyan Arab Jamahiriya	7 June 1978
Liechtenstein[b, c]	10 August 1989
Luxembourg[c]	29 August 1989
Madagascar[c]	8 May 1992
Malawi	7 October 1991
Maldives	3 September 1991
Mali	8 February 1989
Malta[b, c]	17 April 1989
Mauritania	14 March 1980
Mauritius	22 March 1982
Mexico (Protocol I only)	10 March 1983
Micronesia (Federated States of)	19 September 1995
Mongolia[b, c]	6 December 1995
Mozambique (Protocol I only)	14 March 1983
Namibia[c]	17 June 1994
Netherlands[b, c]	26 June 1987
New Zealand[b, c]	8 February 1988
Niger	8 June 1979
Nigeria	10 October 1988
Norway[c]	14 December 1981
Oman	29 March 1984
Palau	25 June 1996
Panama	18 September 1995
Paraguay[c]	30 November 1990
Peru	14 July 1989
Philippines (Protocol II only)	11 December 1986
Poland[c]	23 October 1991
Portugal[c]	27 May 1992
Qatar[b, c] (Protocol I only)	5 April 1988
Republic of Korea[b]	15 January 1982
Republic of Moldova	24 May 1993
Romania[c]	21 June 1990
Russian Federation[b, c]	29 September 1989
Rwanda[c]	19 November 1984
Saint Kitts and Nevis	14 February 1986
Saint Lucia	7 October 1982
Saint Vincent and the Grenadines	8 April 1983
Samoa	23 August 1984
San Marino	5 April 1994

State	*Date of ratification, accession or succession*
Sao Tome and Principe	5 July 1996
Saudi Arabia[b] (Protocol I only)	21 August 1987
Senegal	7 May 1985
Seychelles[c]	8 November 1984
Sierra Leone	21 October 1986
Slovakia[c]	2 April 1993
Slovenia[c]	26 March 1992
Solomon Islands	19 September 1988
South Africa	21 November 1995
Spain[b c]	21 April 1989
Suriname	16 December 1985
Swaziland	2 November 1995
Sweden[b c]	31 August 1979
Switzerland[b c]	17 February 1982
Syrian Arab Republic (Protocol I only)	14 November 1983
Tajikistan[c]	13 January 1993
The former Yugoslav Republic of Macedonia[c]	1 September 1993
Togo[c]	21 June 1984
Tunisia	9 August 1979
Turkmenistan	10 April 1992
Uganda	13 March 1991
Ukraine[c]	25 January 1990
United Arab Emirates[b c]	9 March 1983
United Kingdom[b]	28 January 1998
United Republic of Tanzania	15 February 1983
Uruguay[c]	13 December 1985
Uzbekistan	8 October 1993
Vanuatu	28 February 1985
Venezuela	23 July 1998
Viet Nam (Protocol I only)	19 October 1981
Yemen	17 April 1990
Yugoslavia[b]	11 June 1979
Zaire (Protocol I only)	3 June 1982
Zambia	4 May 1995
Zimbabwe	19 October 1992

Notes

[a] As communicated by the competent authorities of the Government of Switzerland, depositary of the Protocols. By a note dated 15 August 1990, the Permanent Observer Mission of Switzerland informed the Secretary-General as follows:

> "On 21 June 1989, the Federal Department for Foreign Affairs received a communication of 14 June 1989 from the Permanent Observer of Palestine to the United Nations Office at

Geneva concerning Palestine's participation in the four Geneva Conventions of 12 August 1949 and their two additional Protocols of 8 June 1977. On 18 September 1989, the Federal Department for Foreign Affairs sent to the States parties to the Conventions an information note of 13 September 1989 regarding this communication, accompanied by the text of the latter. In the information note, the Swiss Federal Council, depositary of the Conventions, brings to the attention of the States parties that it is not in a position to settle the question whether the communication should be considered an instrument of accession within the meaning of the relevant provisions of the Conventions and their Additional Protocols."

[b] Ratification, accession or succession accompanied by a reservation and/or a declaration.

[c] Party which has made the declaration provided for under article 90 of Protocol I.

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General Assembly

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24 August 1998

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Fifty-third session
Item 44 of the provisional agenda*
The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development

United Nations Verification Mission in Guatemala

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 52/175 of 18 December 1997, by which the Assembly decided to authorize the renewal of the mandate of the United Nations Verification Mission in Guatemala (MINUGUA), originally set out in resolution 51/198 B of 27 March 1997, in order for the Mission to continue to verify compliance with the peace agreements signed between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG). By resolution 52/175, the Assembly extended the Mission's mandate from 1 April to 31 December 1998 and requested me to submit recommendations on the structure and staffing of MINUGUA after that date.

II. Background

2. The package of agreements signed by the Government of Guatemala and the URNG in December 1996 included detailed commitments on political, legislative, social, economic, agrarian, ethnic, military and public security issues, which were bound together into a national peace agenda. The Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements (A/51/796-S/1997/114, annex I) stressed that international verification was essential to the implementation process and to strengthening confidence in the consolidation of peace. Thus, the parties requested that MINUGUA, which up to then had been limited to verifying the Comprehensive Agreement on Human Rights (A/48/928-S/1994/448, annex I) and the human rights aspects of the Agreement on Identity and Rights of Indigenous Peoples (A/49/882-S/1995/256, annex), expand its functions to verify all the signed agreements, and that they also comprise good offices, advisory and support services and public information. Furthermore, the parties requested that the duration of the mandate of MINUGUA be the same as that of the implementation timetable, namely, four years, up to 31 December 2000.

3. The calendar for implementation agreed on by the parties consists of three consecutive phases: the first phase, of 90 days' duration, covered, *inter alia*, the establishment of commissions for the demobilization of URNG members and for the reform of the justice and electoral systems, as well as the promotion of indigenous rights and the modernization of the Legislative Branch; the second phase, which covered the remainder of 1997, emphasized social and productive investment, modernization and decentralization

* A/53/150.

98-25044 (E) 230998

of the State, public administration reform, rural development, fiscal reform and the restructuring of public security and national defence. The third phase, from 1998 to 2000, covers further development of the above measures, implementation of the outcome of the various commissions and promotion of broad legislative reform on issues such as the Penal Code, the administration of justice, land tenure and the multi-ethnic, multicultural and multilingual nature of Guatemala.

III. State of implementation

4. In its resolution 52/175, the General Assembly considered my report of 31 October 1997, called upon the parties to continue to implement the commitments they entered into in the Comprehensive Agreement on Human Rights and those in the other peace agreements, in particular those contained in the second phase of the timetable; and urged the parties and all sectors of Guatemalan society to further strengthen the efforts towards consensus-building, reconciliation and development, with particular attention to the most vulnerable sectors of society.

5. Progress in the parties' compliance with the Agreements since the adoption of resolution 52/175 was presented in my report to the General Assembly of 4 February (A/52/757). In that report I described some of the achievements of the peace process, namely, progress towards political and cultural pluralism and, in particular, a marked increase in the participation of the indigenous population in national life. I also pointed out a new emphasis in state institutions and society at large on social development and on the need for the State to redirect its efforts towards the country's rural areas and the more vulnerable sectors of society. Notwithstanding these advances, I also indicated that popular support for the peace process was being undermined by shortcomings in public security and by persistent economic and social difficulties. In addition, important commitments, due to have been fulfilled during the second phase of the timetable ending in December 1997, had to be rescheduled for the third phase. Of particular concern were delays in implementing reforms to the fiscal structure of the country, as they could affect the long-term sustainability of the current reforms.

6. Throughout this period, MINUGUA has continued to verify compliance with the commitments of the Comprehensive Agreement on Human Rights and the human rights aspects of the Agreement on Identity and Rights of Indigenous Peoples, and to report separately on this matter. On 8 June 1998, I transmitted to the General Assembly the eighth report of MINUGUA on human rights (A/52/946), covering the period from 1 July 1997 to 31 March 1998, and the Mission's second such report since the signing of the peace agreements. An appendix to the report, including details of selected cases, was also prepared and issued in Guatemala. In that report, the Mission confirmed the trend towards a reduction in the number of human rights violations, which had already been noted in previous reports, and the fact that the human rights violations that it had verified were neither political in nature nor the result of deliberate government policy. At the same time, the Mission noted the continued weakness of state institutions in spite of the current reform process, in particular in the face of the high level of crime in the country. These shortcomings jeopardize the State's ability to fulfil its duty to guarantee human rights to its citizens, a situation which, in turn, limits popular support for the peace process.

7. The assassination on 26 April 1998 of Monsignor Juan José Gerardi, Auxiliary Bishop of Guatemala and Coordinator of the Archbishopric's Human Rights Office (ODHA), shook both Guatemalan society and the international community. His death took place two days after he publicly presented the ODHA report on the Recovery of Historical Memory (REMHI), which offered an account of human rights violations during the internal conflict. The widespread perception in Guatemala that Monsignor Gerardi's killing was politically motivated and linked to his participation in the REMHI has revived memories of past violent practices and, in that sense alone, constitutes a setback for the peace process. It is thus of critical importance that the investigation into this crime be completed, so as to bolster popular confidence in the rule of law and the new perspectives offered by the peace process. MINUGUA is committed to doing everything within its mandate to help in the resolution of the case.

8. I paid an official visit to Guatemala from 21 to 22 July 1998, in order to take stock directly of progress in the implementation of the peace agreements. During the course of that visit, I held meetings with the President and his Cabinet, the leadership of the URNG, the Follow-up Commission, the members of the Historical Clarification Commission, the Archbishop of Guatemala and other actors in the peace process. I also met with representatives of the United Nations system and the international community, who are contributing efficiently to post-conflict peace-building in Guatemala. I found that, while my interlocutors' assessment of the impact of the peace process varied, all were committed to the goals of the Peace Agreements and considered their implementation to be the best avenue for the democratization and development of the country. There

was broad agreement on the importance of moving forward speedily on the constitutional reforms, a new fiscal package and new measures with regard to land and justice. I expressed the full support of the United Nations for this short-term agenda, which is critical to the sustainability and credibility – both domestic and international – of the peace process and which should be completed in time for the next Consultative Group meeting of donor countries to be held in October 1998. I also stressed the importance of ensuring that the electoral campaign for the 1999 presidential elections should not distract the parties and other social actors from the national agenda contained in the Peace Agreements.

9. The Follow-up Commission, the body established under the Peace Agreements with authority to reschedule the parties' commitments, has been working on a new schedule for the third phase of the timetable, in consultation with those sectors of civil society which are directly involved in the implementation process. The parties and the Follow-up Commission recently agreed on a priority agenda to be implemented before the above-mentioned meeting of the Consultative Group, which includes approval by Congress of constitutional reforms, adoption of a package of fiscal measures, advances on the land issue and progress in the reform of the justice system. In the coming weeks, I intend to report to the General Assembly on the parties' compliance with specific commitments of the peace process between January and July 1998.

10. The developments of the past year in Guatemala have also been reported in my report of 31 August 1998 to the General Assembly on the situation in Central America (A/53/315). In that report, I reiterated that the peace agenda represents a blueprint for profound changes in Guatemala and I encouraged the parties, national institutions and society at large to move forward vigorously to make them a reality during the crucial time ahead. I also pledged the continuing support of MINUGUA and the United Nations system to this endeavour.

IV. Structure and staffing of the Mission

11. In my report to the General Assembly (A/52/554) of 31 October 1997, I made recommendations regarding the staffing and structure of the Mission for the biennium 1998-1999. The Assembly took note of these recommendations in its resolution 52/175.

12. Since the adoption of resolution 52/175, the Mission has implemented the changes authorized by the General Assembly, which included the strengthening of the Office of the Deputy Chief of Mission/Field Coordinator; minor adjustments to the staffing of regional offices and sub-offices; providing the Spokesman and the Office of Public Information with national officers to serve as information liaisons in the regions; and an increase in the contingent of civilian police observers and the military liaison team. These changes have strengthened the Mission's ability to carry out its complex mandate. Given the challenging tasks that still lie ahead, I do not propose to introduce further modifications in the structure and staffing of the Mission at this stage in the implementation of the Peace Agreements.

13. Taking into account the situation described in the preceding paragraph, the related financial requirements, inclusive of support staff and operational costs for the period from 1 January 1999 to 31 December 1999, are estimated at approximately $30.2 million.

V. Observations

14. As mentioned above, the Government of Guatemala and the URNG stressed in the Implementation, Compliance and Verification Timetable for the Peace Agreements that international verification was essential to the implementation process and to strengthening confidence in the consolidation of peace. During my recent visit to Guatemala (see para. 8 above), the two parties reiterated their support for the role played by MINUGUA in the peace process. I share the view that, during the period since the signing of the Peace Agreements, the presence of MINUGUA has contributed to keeping the peace process at the forefront of the country's political agenda and, together with the other parts of the United Nations system and international community at large, has assisted in the consolidation of the peace process. In addition, as 1999 is an election year, the Mission will have the delicate task of helping the parties and other sectors of society to keep a steady course towards the implementation of the commitments within the Peace Agreements in a political context inevitably marked by partisan confrontation. I am confident that the Mission will meet this challenge.

15. In reviewing the work of MINUGUA during the past year, I take the opportunity to pay tribute to the six members of the Mission and their pilot who lost their lives in a helicopter crash on 17 March 1998 while on their way to a meeting at an indigenous community in a remote

mountainous region of Guatemala. In remembering them we are reminded of the dedication shown by many of our colleagues in the field as they carry out their daily tasks in the service of peace, in conditions of hardship and risk.

16. Based on the considerations outlined in the preceding paragraphs, I recommend that the General Assembly authorize the renewal of the mandate of MINUGUA beyond 1 January 1999 until 31 December 1999, subject to regular reports on progress in the implementation of the commitments within the Peace Agreements, and that the Mission be provided with the resources referred to in the present report.

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GENERAL ASSEMBLY
Fifty-third session
Item 40 of the provisional agenda*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-third year

Letter dated 26 August 1998 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the expansion of settlements in the Golan Heights, issued on 26 August 1998 by the Presidency of the European Union (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under item 40 of the provisional agenda, and of the Security Council.

(Signed) Ernst SUCHARIPA
Permanent Representative
of Austria to the United Nations

* A/53/150.

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ANNEX

[Original: English and French]

Statement on the expansion of settlements in the Golan Heights, issued on 26 August 1998 by the Presidency of the European Union

The European Union is concerned about reports that on 19 August an Israeli ministerial committee approved a plan to expand settlements in the Golan Heights. Under the plan, 2,300 new housing units and 2,500 holiday units are to be built in Mamot, Ma'ale Gamla, Kanaf and Had Nex.

If such a plan is implemented, it would represent a significant setback to the efforts to resume the Israeli-Syrian negotiations. It would also constitute a further complication for the implementation of the principle of "land for peace" and raise questions about Israel's commitment to the peace process.

Recalling the Cardiff European Council conclusions, in which grave concern was expressed at the lack of progress on the Syrian track, the European Union urges Israel not to implement the above-mentioned plan concerning the expansion of Golan settlements nor to take any other related steps which would jeopardize the peace process.

In this context the European Union reiterates its position that settlements in the occupied territories are illegal and in contravention of international law.